

Appl. No.09/893,033
Amdt. Dated June 2, 2005
Reply to Office Action of February 7, 2005

Docket No.: 100100-01

BEST AVAILABLE COPY**REMARKS**

Reconsideration of the application as amended is respectfully requested. Applicants would like to thank the Examiner for his telephone calls with William L. Warren on January 21 and with Kathryn Wade on January 10.

Applicants have submitted the Abstract on a separate sheet to comply with the Examiner's request. Applicants have amended the specification by completing the sentence after deleting the hyperlink as requested by the Examiner. Support for this amendment is inherent in the specification as filed because the specified hyperlink connects to the Arabidopsis Information Resource website. No new matter has been added by virtue of the amendments to the specification.

Claims 38-39, 41-48, 52-53, 55-62 and 84-88 have been re-presented as new claims 89-111, which also incorporate the amendments suggested by the Examiner. New Claim 106 corrects the antecedent basis as compared to the canceled Claim 62 by changing the *Synechocystis* AHAS large subunit to the *Synechocystis* AHAS small subunit. No new matter has been added by virtue of the amendments to the claims.

New Matter Rejection

Without acquiescing in the examiner's position, the amendments to the claims are believed to obviate the new matter rejection, and its withdrawal is respectfully requested.

Rejections under 35 USC §112

Without acquiescing in the examiner's position, the amendments to the claims are believed to obviate the rejection under §112 first paragraph, and its withdrawal is respectfully requested.

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Applicants submit that the present application is now in condition for allowance. Should the Examiner wish to discuss the application further, he is invited to telephone the undersigned. If any additional fees are due with respect to this submission, authorization is hereby given to charge such fees, or to credit any overpayment, to Deposit Account No. 02-1197.

Respectfully submitted,
BASF CORPORATION



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919/547-2230
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Dated; June 2, 2005